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CENTRAL INTELLIGENCE GROUP
INTELLIGENCE REPORT

94380

COUNTRY Germany (Russian Zone)
SUBJECT Russian Opposition to Administrative Courts

DATE: 25X1C
INFO. [REDACTED]
DIST. 24 July 1947

CONFIDENTIAL PAGES

ORIGIN [REDACTED] 25X1C

SUPPLEMENT

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1. It is reported that early in April 1947 Minister-President Hübner asked the LDP to withdraw its proposal to the Saxony-Anhalt diet for the establishment of administrative courts. Hübner stated that discussions with SMA on this subject were in progress.
2. The Russians reportedly told Hübner that administrative courts would appear to constitute a constant criticism of the occupying power. Decisions of the SMA and of the German administration are democratic decisions: to have these voided by appeal to a court would be nothing less than fascistic. Those parties which wish to set up a system of administrative courts wish to endanger the democratic achievements made in the Russian Zone and to discredit the decisions of the antifascist parties and of the USSR. Since the Germans did not carry out a revolution by themselves, the fascist elements must not be allowed to set aside by court decision the revolutionary decisions made by the occupying power. Administrative courts are anti-Russian and anti-democratic. The important point is not to guarantee the rights of the individual but rather to safeguard the system.

25X1X [REDACTED] Comment: Administrative courts are accepted in Berlin and in the western zones as the normal institutions for insuring the legality of administrative decrees, orders and decisions.)

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DDA Memo, 4 Apr 77
Auth: DDA REG. 77/1763
Date: 6 APR 77 By: OLS

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Next Release Date: 1997

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